

Moved by Nonini

Seconded by Hagedorn

IN THE SENATE  
SENATE AMENDMENT TO SENATE AMENDMENT TO H.B. NO. 15

AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 2 through 20.

On page 1 of the printed bill, delete lines 17 through 42; and on page 2, delete lines 1 through 19 and insert:

"SECTION 1. That Chapter 5, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-523A, Idaho Code, and to read as follows:

49-523A. TITLE STOP WHEN OWNERSHIP OF VEHICLE DISPUTED. (1) Whenever a party claims an interest in a vehicle subject to a title, the party may request a title stop be placed upon the title record of the vehicle.

(2) The request for title stop shall be provided to the department, together with documentation supporting the request and the fee required pursuant to the provisions of section 49-202(2)(i), Idaho Code.

(3) A verbal request to the department for a title stop may be placed on the title record for up to five (5) business days upon advising the requestor of the requirements and giving the requestor time to send the written request. Failure to send the written request shall terminate the request at the end of the five (5) business days.

(4) Upon receipt of the request for title stop, the department may place a stop on the title record of the subject vehicle if it appears from the documentation provided that there exists a reasonable dispute as to the ownership of the vehicle.

(5) Notwithstanding the placement of a stop or the filing of a stop request, the department shall process an application for title accompanied by a properly completed affidavit of repossession, or to record a lien or encumbrance, unless the requestor of the stop has provided the department with a court order restraining the issuance of title. In all other applications for title, the department shall place or maintain a stop and shall notify the title applicant that a stop is in place.

(6) Once the title stop is placed by the department, the requesting party shall provide evidence of a judicial filing relating to the subject vehicle within thirty (30) days of the title stop becoming effective. Failure to provide such evidence shall result in the department's cancellation of the title stop.

(a) Upon receipt of a written request for a title stop and the required fee, the department shall send notice of the title stop to the titled owners and any other party with recorded interest or lienholder recorded on the title records of the department.

(b) Upon receipt by the department of satisfactory evidence of a judicial filing, the title stop shall remain in place until a final order

1 of the judicial proceeding is received, the requesting party has in-  
 2 structed the department to remove the stop, the requesting party has  
 3 failed to respond to notice under paragraph (c) of this subsection or  
 4 for one (1) year, unless renewed by the requestor, whichever comes  
 5 first.

6 (c) Except as provided in subsection (5) of this section, if a person  
 7 files evidence with the department that the person has acquired title to  
 8 the vehicle for which a title stop has been placed, then the department  
 9 shall send notice to the original requesting party providing ten (10)  
 10 business days from the date notice was mailed to object to the release  
 11 of the title stop. If the department does not receive timely response  
 12 from the requesting party or if the requesting party instructs the de-  
 13 partment to remove the stop, then the title stop shall be immediately  
 14 released.

15 (7) During the pendency of the title stop, no title applications for the  
 16 vehicle to which the stop pertains shall be processed by the department ex-  
 17 cept as otherwise provided in this section.

18 (8) Title stops requested by a governmental agency shall be exempt from  
 19 the provisions of subsection (6) of this section. Such title stop shall be  
 20 valid for two (2) years, unless renewed by the governmental agency request-  
 21 ing the stop. Governmental agencies shall be exempt from the fee required in  
 22 section 49-202(2) (i), Idaho Code.

23 (9) The provisions of this section shall be effective for any title stop  
 24 received on and after July 1, 2015."

#### 25 CORRECTION TO TITLE

26 On page 1, delete lines 2 through 15, and insert:

27 "RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 5, TITLE 49, IDAHO CODE, BY THE  
 28 ADDITION OF A NEW SECTION 49-523A, IDAHO CODE, TO PROVIDE FOR TITLE STOP  
 29 REQUESTS WHEN OWNERSHIP OF A VEHICLE IS DISPUTED, TO PROVIDE A PROCE-  
 30 DURE, TO PROVIDE FOR A FEE, TO PROVIDE FOR VERBAL REQUESTS, TO AUTHORIZE  
 31 THE IDAHO TRANSPORTATION DEPARTMENT TO PLACE A STOP ON THE TITLE RECORD  
 32 OF A VEHICLE UNDER CERTAIN CONDITIONS, TO PROVIDE THAT THE DEPARTMENT  
 33 SHALL PROCESS AN APPLICATION FOR A TITLE OR RECORD A LIEN OR ENCUMBRANCE  
 34 EXCEPT UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE THE REQUESTING PARTY TO  
 35 PROVIDE CERTAIN EVIDENCE ONCE THE TITLE STOP IS PLACED BY THE DEPART-  
 36 MENT, TO PROVIDE FOR CANCELLATION OF A TITLE STOP IN THE EVENT EVIDENCE  
 37 IS NOT PROVIDED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE DURATION  
 38 OF THE TITLE STOP, TO PROVIDE THAT A PERSON MAY FILE EVIDENCE THAT THE  
 39 PERSON HAS ACQUIRED TITLE TO A VEHICLE FOR WHICH A TITLE STOP HAS BEEN  
 40 PLACED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE RELEASE OF A TITLE STOP  
 41 UNDER CERTAIN CONDITIONS, TO PROVIDE THAT NO TITLE APPLICATIONS FOR  
 42 THE VEHICLE SHALL BE PROCESSED DURING THE PENDENCY OF THE TITLE STOP,  
 43 TO PROVIDE FOR TITLE STOPS REQUESTED BY GOVERNMENTAL AGENCIES AND TO  
 44 PROVIDE FOR APPLICABILITY."